

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re

No. C 12-1761 WHA (PR)

TAJHIKEEM AUSHAWN WOODS,

ORDER OF DISMISSAL

Plaintiff.

On April 10, 2012, plaintiff, a prisoner of the State of California, filed a letter complaining of actions by prison employees. The letter did not suffice as a complaint because it did not identify any defendants, set forth any causes of action, or include basic information such as the dates that the events alleged in the complaint occurred. Consequently, on the same day the letter was filed, the clerk notified plaintiff that he had not filed a complaint and mailed to plaintiff the court's form complaint for prisoner civil rights actions under 42 U.S.C. 1983. Plaintiff was informed that the case would be dismissed if he did not file a complaint within thirty days. *See Thomas v. Anchorage Equal Rights Comm'n*, 220 F.3d 1134, 1138-39 (9th Cir. 2000) (en banc) (federal courts are restricted by the constitution to ruling on cases or controversies).


More than fifty days have passed and plaintiff has not filed a complaint. He has filed a sworn statement in which he requests appointment of counsel. Counsel cannot be "appointed" in a civil case in which there is no right to counsel, *Lassiter v. Dep't of Social Services*, 452 U.S.

1 18, 25 (1981), and in the absence of a complaint there is no pending case or controversy that a
2 pro bono counsel could be "requested" to handle under 28 U.S.C. 1915(e)(1). Consequently,
3 this case is **DISMISSED** without prejudice to plaintiff filing his claims in a complaint in a new
4 case in the future.

5 The clerk shall enter judgment and close the file.

6 **IT IS SO ORDERED.**

7 Dated: June 11, 2012.

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9 WILLIAM ALSUP
10 UNITED STATES DISTRICT JUDGE
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